

04 JUN 2001

24 164 US
01.C1003

IN THE UNITED STATES PATENT AND TRADEMARK C

In re Application of:

Thakur, Madhukar (Mathew) L.

Group Art Unit:

Examiner:

Serial No.: 09/763,777

Filed: 2001-02-16

Title: Imaging With TC-99M Labeled
Fibrin-Alpha-Chain Peptide

RESPONSE

AND

PRELIMINARY AMENDMENT

Box Sequence

Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Sir:

This responds in full to the communication mailed April 3, 2001 from the Patent Office, entitled "Response to Notice of Missing Requirements under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US)." A copy of the Office Letter is enclosed. This response is timely filed.

Submitted herewith is a "Sequence Listing" in computer readable form, and of the sequence listing in accordance with the requirements of 37 CFR §§ 1.821-1.823. I am amending the application and insert the paper copy containing Sequence No. 1 that has been formatted in FastSeq Version 4.0 to conform with 37 C.F.R. 1.823.

Raw Sequence Listing Error Summary

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER:

09/263,777A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 Wrapped Nucleics
 Wrapped Aminos The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 Invalid Line Length The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 Misaligned Amino
 Numbering The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 Non-ASCII The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 Variable Length Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 PatentIn 2.0
 "bug" A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 Skipped Sequences
 (OLD RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:
 (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)
 (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)
 This sequence is intentionally skipped

 Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 Skipped Sequences
 (NEW RULES) Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence.
 <210> sequence id number
 <400> sequence id number
 000
- 9 Use of n's or Xaa's
 (NEW RULES) Use of n's and/or Xaa's have been detected in the Sequence Listing.
 Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.
 In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 Invalid <213>
 Response Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 Use of <220> Sequence(s) 4 missing the <220> "Feature" and associated numeric identifiers and responses.
 Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.
 (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 PatentIn 2.0
 "bug" Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 Misuse of n n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

PATENT

Attorney Docket No.: 8321-119

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of :
Madhukar Matthew Thakur :
Serial No. 09/763,777 : Group Art Unit:
International Filing Date: 17 Aug 1999 : Examiner:
For: Imaging With TC-99m Labeled Fibrin-
Alpha-Chain Peptide :

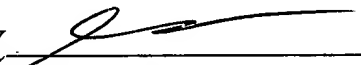
Statement Under 37 C.F.R 1.821

Box PCT
Commissioner for Patents
Washington, DC 20231
Attn: Patricia Booker

Sir:

The undersigned hereby states that the sequence listing information recorded in the substitute computer readable form and submitted herewith, is identical to the substitute written (paper copy) sequence listing also submitted herewith.

No new matter has been added.

BY 
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(215) 988-3312
(215) 988-2757 – Fax
Attorney for the Applicants

CERTIFICATE OF MAILING
UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

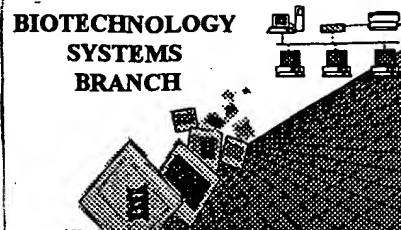
BY



DATE:

11/11/02

RAW SEQUENCE LISTING **ERROR REPORT**



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/763,777A
Source: PT/09
Date Processed by STIC: 6/4/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom:

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



PCT09

RAW SEQUENCE LISTING

DATE: 06/04/2002

PATENT APPLICATION: US/09/763,777A

TIME: 15:54:22

Input Set : A:\THA01 C1003 SEQLIST.TXT

Output Set: N:\CRF3\06042002\I763777A.raw

**Does Not Comply
Corrected Diskette Needed**

P2

OK ->

4 <110> APPLICANT: Thakur, Madhukar (Mathew) L.
 6 <120> TITLE OF INVENTION: Imaging with TC-99m Labeled
 7 Fibrin-Alpha-Chain Peptide
 9 <130> FILE REFERENCE: THA01-C1003
 11 <140> CURRENT APPLICATION NUMBER: 09/763,777A
 12 <141> CURRENT FILING DATE: 2001-07-04
 14 <150> PRIOR APPLICATION NUMBER: 60/096,803
 15 <151> PRIOR FILING DATE: 1998-08-17
 17 <160> NUMBER OF SEQ ID NOS: 5
 19 <170> SOFTWARE: FastSEQ for Windows Version 4.0
 21 <210> SEQ ID NO: 1
 22 <211> LENGTH: 3
 23 <212> TYPE: PRT
 24 <213> ORGANISM: Artificial Sequence
 26 <220> FEATURE:
 27 <223> OTHER INFORMATION: N-terminus tripeptide portion of
 28 fibrin-alpha-chain peptide
 30 <400> SEQUENCE: 1
 31 Gly Pro Arg
 32 1
 34 <210> SEQ ID NO: 2
 35 <211> LENGTH: 4
 36 <212> TYPE: PRT
 37 <213> ORGANISM: Artificial Sequence
 39 <220> FEATURE:
 40 <223> OTHER INFORMATION: Analog of N-terminus tripeptide identified in SEQ
 41 ID NO:1
 43 <400> SEQUENCE: 2
 44 Gly Pro Arg Pro
 45 1
 47 <210> SEQ ID NO: 3
 48 <211> LENGTH: 5
 49 <212> TYPE: PRT
 50 <213> ORGANISM: Artificial Sequence
 52 <220> FEATURE:
 53 <223> OTHER INFORMATION: Pentapeptide analog related to N-terminus portion
 54 of fibrin-alpha-chain peptide
 56 <400> SEQUENCE: 3
 57 Gly Pro Arg Pro Pro
 58 1 5
 60 <210> SEQ ID NO: 4
 61 <211> LENGTH: 4
 62 <212> TYPE: PRT

RAW SEQUENCE LISTING

DATE: 06/04/2002

PATENT APPLICATION: US/09/763,777A

TIME: 15:54:22

Input Set : A:\THA01 C1003 SEQLIST.TXT

Output Set: N:\CRF3\06042002\I763777A.raw

63 <213> ORGANISM: Artificial Sequence *see item 11 on Error Summary Sheet*
 65 <220> FEATURE:
 66 <223> OTHER INFORMATION: at amino acid number 2 the alanine is the *delete*
 67 D-alanine
 69 <400> SEQUENCE: 4
 70 Gly Ala Gly Gly
 71 1
 73 <210> SEQ ID NO: 5
 74 <211> LENGTH: 10
 75 <212> TYPE: PRT
 76 <213> ORGANISM: Artificial Sequence
 78 <220> FEATURE:
 79 <223> OTHER INFORMATION: TP 850 decapeptide
 81 <223> OTHER INFORMATION: at amino acid number 6, Xaa designates Abu which
 82 is 4-aminobutyric acid
 84 <223> OTHER INFORMATION: at amino acid number 9, the alanine is the
 85 D-alanine
 W--> 87 <221> NAME/KEY: MOD_RES
 W--> 88 <222> LOCATION: 6
 W--> 89 <223> Xaa= 4-aminobutyric acid 4Abu
 W--> 91 <400> 5
 W--> 92 Gly Pro Arg Pro Pro Xaa Gly Gly Ala Gly
 93 1 5 10

RAW SEQUENCE LISTING ERROR SUMMARY
PATENT APPLICATION: US/09/763,777A

DATE: 06/04/2002
TIME: 15:54:23

Input Set : A:\THA01 C1003 SEQLIST.TXT
Output Set: N:\CRF3\06042002\I763777A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:5; Xaa Pos. 6